

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00007-TSC**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN  
WASHINGTON v. U.S. DEPARTMENT OF JUSTICE  
Assigned to: Judge Tanya S. Chutkan  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 01/03/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CITIZENS FOR RESPONSIBILITY  
AND ETHICS IN WASHINGTON**

represented by **Adam J. Rappaport**  
CITIZENS FOR RESPONSIBILITY AND  
ETHICS IN WASHINGTON  
1101 K Street, NW  
Suite 201  
Washington, DC 20005  
(202) 408-5565  
Fax: (202) 588-5020  
Email: [arappaport@citizensforethics.org](mailto:arappaport@citizensforethics.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Anne L. Weismann**  
CITIZENS FOR RESPONSIBILITY AND  
ETHICS IN WASHINGTON  
1101 K Street, NW  
Suite 201  
Washington, DC 20005  
(202) 408-5565  
Fax: (202) 588-5020  
Email: [aweismann@citizensforethics.org](mailto:aweismann@citizensforethics.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Conor M. Shaw**  
CITIZENS FOR RESPONSIBILITY AND  
ETHICS IN WASHINGTON  
1101 K Street, NW  
Suite 201  
Washington, DC 20005  
(202) 408-5565  
Fax: (202) 588-5020  
Email: [cshaw@citizensforethics.org](mailto:cshaw@citizensforethics.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Nikhel Sus**  
CITIZENS FOR RESPONSIBILITY AND  
ETHICS IN WASHINGTON  
1101 K Street, NW  
Suite 201  
Washington, DC 20005  
(202) 408-5565  
Fax: (202) 897-1996  
Email: [nsus@citizensforethics.org](mailto:nsus@citizensforethics.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

## U.S. DEPARTMENT OF JUSTICE

represented by **Vinita B. Andrapalliyal**  
 U.S. DEPARTMENT OF JUSTICE  
 Civil Division, Federal Programs Branch  
 1100 L Street NW  
 Washington, DC 20005  
 (202) 305-0845  
 Fax: (202) 616-8470  
 Email: [vinita.b.andrapalliyal@usdoj.gov](mailto:vinita.b.andrapalliyal@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
01/03/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-5270667) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney Generl, # <u>3</u> Summons Department of Justice, # <u>4</u> Summons U.S. Attorney)(Weismann, Anne) (Entered: 01/03/2018)
01/03/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Weismann, Anne) (Entered: 01/03/2018)
01/03/2018		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 01/03/2018)
01/03/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (md) (Entered: 01/03/2018)
01/16/2018	<u>4</u>	AMENDED COMPLAINT against U.S. DEPARTMENT OF JUSTICE filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON.(Weismann, Anne) (Entered: 01/16/2018)
02/08/2018	<u>5</u>	NOTICE of Appearance by Vinita Balakrishnan Andrapalliyal on behalf of U.S. DEPARTMENT OF JUSTICE (Andrapalliyal, Vinita) (Entered: 02/08/2018)
02/08/2018	<u>6</u>	ANSWER to <u>4</u> Amended Complaint by U.S. DEPARTMENT OF JUSTICE.(Andrapalliyal, Vinita) (Entered: 02/08/2018)
02/09/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order not later than 3/5/18. Signed by Judge Tanya S. Chutkan on 2/9/18. (DJS) (Entered: 02/09/2018)
02/09/2018		Set/Reset Deadlines: Joint Status Report due by 3/5/2018. (tb) (Entered: 02/09/2018)
03/05/2018	<u>7</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. DEPARTMENT OF JUSTICE (Andrapalliyal, Vinita) (Entered: 03/05/2018)
03/06/2018		MINUTE ORDER: Granting <u>7</u> Consent Motion for Extension of Time to File Joint Status Report. The parties shall file their report by 3/6/18. The parties are hereby reminded that all motions must be accompanied by a proposed order. See Local Civil Rule 7(c). Additionally, all joint status reports shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 3/6/18. (DJS) (Entered: 03/06/2018)
03/06/2018	<u>8</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order Defendant's Proposed Order, # <u>2</u> Text of Proposed Order Plaintiff's Proposed Order)(Andrapalliyal, Vinita) (Entered: 03/06/2018)

03/07/2018		Set/Reset Deadlines: Status Report due by 3/6/2018. (tb) (Entered: 03/07/2018)
04/02/2018		MINUTE ORDER: A Status Conference is hereby set for 4/11/18 at 10:45 am in Courtroom 9. The parties shall file a joint updated status report and proposed order by noon on April 9, 2018. Signed by Judge Tanya S. Chutkan on 4/2/18. (DJS) (Entered: 04/02/2018)
04/02/2018		Set/Reset Deadlines/Hearings: Status Report due by noon on 4/9/2018. Status Conference set for 4/11/2018 at 10:45 AM in Courtroom 9 before Judge Tanya S. Chutkan. (jl) (Entered: 04/04/2018)
04/03/2018	<u>9</u>	NOTICE of Appearance by Conor M. Shaw on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Shaw, Conor) (Entered: 04/03/2018)
04/03/2018	<u>10</u>	NOTICE of Appearance by Adam J. Rappaport on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Rappaport, Adam) (Entered: 04/03/2018)
04/09/2018	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 04/09/2018)
04/10/2018		Set/Reset Hearings: Status Conference reset for 4/11/2018 at (TIME CHANGE) 11:15 AM in Courtroom 8 before Judge Tanya S. Chutkan. (tb) (Entered: 04/10/2018)
04/11/2018		Minute Entry: Status Conference held on 4/11/2018 before Judge Tanya S. Chutkan: OIP shall produce documents by not later than 04/30/18 and production should be completed by 06/30/18. Joint Status Report due by 5/16/2018. (Court Reporter Bryan Wayne) (tb) (Entered: 04/12/2018)
05/16/2018	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 05/16/2018)
05/24/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>12</u> , it is hereby ordered that the parties shall file another joint report and proposed order by July 9, 2018. Signed by Judge Tanya S. Chutkan on 5/24/18. (DJS) (Entered: 05/24/2018)
05/25/2018		Set/Reset Deadlines: Joint Status Report due by 7/9/2018. (tb) (Entered: 05/25/2018)
06/29/2018	<u>13</u>	MOTION for Extension of Time to <i>Complete Production of Responsive, Non-exempt Records Subject to FOIA</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 06/29/2018)
07/02/2018		MINUTE ORD: Granting <u>13</u> Motion for Extension of Deadlines. Defendant's time to complete production is extended to July 5, 2018. Signed by Judge Tanya S. Chutkan on 7/2/18. (DJS) (Entered: 07/02/2018)
07/02/2018		Set/Reset Deadlines: Defendant's time to complete production is extended to 7/5/2018. (jth) (Entered: 07/03/2018)
07/09/2018	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 07/09/2018)
07/17/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>13</u> , it is hereby ordered that the parties shall adhere to the following briefing schedule: Defendant will file its motion for summary by August 13, 2018. Plaintiff will file its opposition to Defendants' motion and combined cross-motion for summary judgment by September 13, 2018. Defendant will file its combined reply/opposition to Plaintiff's cross-motion by October 4, 2018,. Plaintiff will file its reply in support of its cross-motion by October 18, 2018. Signed by Judge Tanya S. Chutkan on 7/17/18. (DJS) (Entered: 07/17/2018)
07/19/2018		Set/Reset Deadlines: Cross Motion due by 9/13/2018. Response to Cross Motion due by 10/4/2018. Reply to Cross Motion due by 10/18/2018. Summary Judgment motion due by 8/13/2018. Response to Motion for Summary Judgment due by 9/13/2018. Reply to Motion for Summary Judgment due by 10/4/2018. (tb) (Entered: 07/19/2018)

08/10/2018	<u>15</u>	MOTION to Stay <i>Summary Judgment Briefing Schedule</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration of Vanessa R. Brinkmann, # <u>2</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 08/10/2018)
08/10/2018	<u>16</u>	Memorandum in opposition to re <u>15</u> MOTION to Stay <i>Summary Judgment Briefing Schedule</i> filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 08/10/2018)
08/13/2018	<u>17</u>	REPLY to opposition to motion re <u>15</u> MOTION to Stay <i>Summary Judgment Briefing Schedule</i> filed by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 08/13/2018)
08/14/2018		MINUTE ORDER: A Status Conference is hereby set for 8/20/18 at 10:15 am in Courtroom 9. Signed by Judge Tanya S. Chutkan on 8/14/18. (DJS) (Entered: 08/14/2018)
08/15/2018		Set/Reset Hearings: Status Conference set for 8/20/2018 at 10:15 AM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 08/15/2018)
08/20/2018		Minute Entry: Status Conference held on 8/20/2018 before Judge Tanya S. Chutkan: The government shall file a status report by 8/24/2018. Proposed Briefing Schedule due by 8/29/2018. Status Conference set for 10/5/2018 at 11:15 AM in Courtroom 9 before Judge Tanya S. Chutkan. (Court Reporter Bryan Wayne) (tb) Modified on 8/21/2018 (tb). (Entered: 08/21/2018)
08/24/2018	<u>18</u>	STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 08/24/2018)
08/29/2018	<u>19</u>	MOTION for Leave to File <i>an Individual Status Report</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Text of Proposed Order Plaintiff's Proposed Order)(Shaw, Conor) (Additional attachment(s) added on 8/30/2018: # <u>2</u> Exhibit status report) (ztd). (Entered: 08/29/2018)
08/29/2018	<u>20</u>	ENTERED IN ERROR. . . .STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Text of Proposed Order Plaintiff's Proposed Order)(Shaw, Conor) Modified on 8/30/2018 (ztd). (Entered: 08/29/2018)
08/29/2018	<u>21</u>	PROPOSED BRIEFING SCHEDULE by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 08/29/2018)
08/30/2018		NOTICE OF CORRECTED DOCKET ENTRY: re <u>20</u> Status Report, was entered in error and said pleading has been added as an exhibit to docket entry no. <u>19</u> , pending leave of court. (ztd) (Entered: 08/30/2018)
08/30/2018	<u>22</u>	<p>TRANSCRIPT OF 8/20/18 STATUS HEARING, before Judge Tanya S. Chutkan, held on August 20, 2018. Page Numbers: 1–12. Date of Issuance: August 30, 2018. Court Reporter: Bryan A. Wayne. Transcripts may be ordered by submitting the <u><a href="#">Transcript Order Form</a></u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days , the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 9/20/2018. Redacted Transcript Deadline set for 9/30/2018. Release of Transcript Restriction set for 11/28/2018.(Wayne, Bryan) (Entered: 08/30/2018)</p>

09/17/2018	<u>23</u>	NOTICE of Appearance by Nikhel Sus on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Sus, Nikhel) (Main Document 23 replaced on 9/20/2018) (ztd). (Entered: 09/17/2018)
10/04/2018		ORDER granting <u>15</u> Defendant's Motion to Stay Summary Judgment Briefing Schedule. Signed by Judge Tanya S. Chutkan on 10/4/2018. (lctsc2). (Entered: 10/04/2018)
10/04/2018		ORDER granting <u>19</u> Plaintiff's Motion for Leave to File an Individual Status Report. Signed by Judge Tanya S. Chutkan on 10/4/2018. (lctsc2). (Entered: 10/04/2018)
10/04/2018	<u>24</u>	STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (ztd) (Entered: 10/09/2018)
10/05/2018		MINUTE ORDER: The Office of Information Policy is hereby ordered to complete its production by Friday, October 12, 2018. Defendant's motion for summary judgment is due on October 26, 2018. Plaintiff's opposition and cross-motion is due on November 16, 2018. Defendant's opposition and reply is due on December 7, 2018. Plaintiff's reply is due on December 21, 2018. SO ORDERED – by Judge Tanya S. Chutkan on 10/05/18. (tb) (Entered: 10/05/2018)
10/05/2018		Minute Entry: Status Conference held on 10/5/2018 before Judge Tanya S. Chutkan: See Minute Order filed 10/05/18. (Court Reporter Lisa Moreira) (tb) (Entered: 10/10/2018)
10/26/2018	<u>25</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Deborah M. Waller, # <u>4</u> Declaration of Vanessa R. Brinkmann, # <u>5</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 10/26/2018)
11/13/2018	<u>26</u>	NOTICE of Change of Address by Nikhel Sus (Sus, Nikhel) (Entered: 11/13/2018)
11/16/2018	<u>27</u>	MOTION for Partial Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Text of Proposed Order)(Sus, Nikhel) (Entered: 11/16/2018)
11/16/2018	<u>28</u>	Memorandum in opposition to re <u>25</u> MOTION for Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Sus, Nikhel) (Entered: 11/16/2018)
12/07/2018	<u>29</u>	REPLY to opposition to motion re <u>25</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 12/07/2018)
12/07/2018	<u>30</u>	Memorandum in opposition to re <u>27</u> MOTION for Partial Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 12/07/2018)
12/19/2018	<u>31</u>	REPLY to opposition to motion re <u>27</u> MOTION for Partial Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Sus, Nikhel) (Entered: 12/19/2018)
08/02/2019	<u>32</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Sus, Nikhel) (Entered: 08/02/2019)
08/21/2019	<u>33</u>	RESPONSE re <u>32</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by U.S. DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 08/21/2019)